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8 Attorneys for Plaintiff  
9 SUTTER HOME WINERY, INC.

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Sutter Home Winery, Inc.,  
Plaintiff,  
vs.  
Skylite Cellars LLC  
Defendant.

CASE NO. 3:08-cv-1949

**NOTICE OF VOLUNTARY  
DISMISSAL**

1 NOTICE IS HEREBY GIVEN that pursuant to Fed.R.Civ.Pro. 41(a), Plaintiff, Sutter  
2 Home Winery, Inc., voluntarily dismisses the above-captioned action without prejudice.  
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4 Dated: 5/28/08

5 Respectfully submitted,

6 DICKENSON, PEATMAN & FOGARTY

7 By \_\_\_\_\_  
8 J. Scott Gerien  
9 Megan Ferrigan Healy

10 809 Coombs Street  
11 Napa, California 94559  
12 Telephone: 707-252-7122  
13 Facsimile: 707-255-6876

14 Attorneys for Plaintiff,  
15 SUTTER HOME WINERY, INC.

DICKENSON, PEATMAN & FOGARTY  
A Professional Law Corporation

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**PROOF OF SERVICE**

I declare that I am over the age of 18 years, employed in the County of Napa, and not a party to the within action; my business address is 809 Coombs Street, Napa, California 94559.

On May 28, 2008, I placed a copy of the following document(s):

• **NOTICE OF VOLUNTARY DISMISSAL**

in a sealed envelope addressed as shown below and placing the envelope for collection and mailing following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.

The persons served are as follows:

Tom Hodgins  
Skylite Cellars, LLC  
25 Campbell Road  
Walla Walla, WA 99362

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed May 28, 2008, at Napa, California.

Jaymie Kilgore  
Jaymie Kilgore  
Legal Secretary